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**Presentment Date: August 23, 2022**  
**Time: 12:00 p.m.**

**Objections Due: August 19, 2022**  
**Time: 5:00 p.m.**

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Chapter 7 Estate of  
Bernard L. Madoff,

Plaintiff,

Adv. Pro. No. 10-05421 (CGM)

v.

FRANK J. AVELLINO, *et al.*,

Defendants.

**NOTICE OF PRESENTMENT OF ORDER GRANTING PARTIAL SUMMARY  
JUDGMENT IN FAVOR OF THE TRUSTEE AND DENYING DEFENDANTS'  
MOTION TO AMEND THE COURT'S MEMORANDUM DECISION**

**PLEASE TAKE NOTICE** that pursuant to the Memorandum Decision Granting Summary Judgment in Favor of the Trustee in *Picard v. Frank J. Avellino, et al.*, Adv. Pro. No. 10-05421 (CGM) (Bankr. S.D.N.Y. July 15, 2022), ECF No. 268, dated July 15, 2022, and the Court's decision at the August 10, 2022 hearing denying Defendants' Motion to Amend the Court's Memorandum Decision and Objection to the Proposed Order, ECF Nos. 271 and 276, dated July 27, 2022 ("Motion to Amend"), and in accordance with Local Bankruptcy Rule 9074-1(a), Irving H. Picard, as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-*lll*, and the substantively consolidated estate of Bernard L. Madoff, through his undersigned counsel, will present the proposed order granting partial summary judgment in favor of the Trustee and denying Defendants' Motion to Amend, attached hereto as **Exhibit A**, to the Honorable Cecelia G. Morris, United States Bankruptcy Judge, for settlement and signature on **August 23, 2022 at 12:00 p.m.**

**PLEASE TAKE FURTHER NOTICE** that to the extent there is a counter-proposed order or objection to the proposed order, it must be in writing, and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, in by no later than **August 19, 2022 at 5:00 p.m.** (the "Objection Deadline"), with a courtesy copy delivered to the Chambers of the Honorable Cecelia G. Morris and served upon (a) Baker and Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan and Esterina Giuliani, and (b) Securities Investor Protection Corporation, 1667 K St. N.W., Suite 1000, Washington D.C. 20006-1620, Attn: Kevin H. Bell. Any objections to the proposed order must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection. Unless a counter-proposed order or written objection to the proposed order

is received before the Objection Deadline, the proposed order may be signed and entered by the Court without further notice.

Dated: August 17, 2022  
New York, New York

By: /s/ David J. Sheehan  
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